IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 8043 of 2017

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Pramod Kumar Son of Late Thakur Mahto, Resident of Village/Mohalla-Kakhara, P.S.- Noor Sarai, District- Nalanda.

... ... Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Rural Development Department, Government of Bihar, Patna
2. Principal Secretary, Rural Development Department, Govt of Bihar.
3. District Magistrate, Nalanda at Bihar Sharif.
4. District Development Commissioner, Nalanda at Bihar Sharif.
5. Block Development Officer, Sarmera Block, District- Nalanda.
6. Director, Provident Fund, Bihar, Patna.
7. District Provident Fund Officer, Nalanda at Bihar Sharif.
8. Accountant General, Bihar, Patna

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Ritesh Kumar, Advocate
For the S t a t e	:	Mr Harish Kumar, GP VIII
For the Accountant General		Mr Raj Nandan Prasad, Advocate

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 **18-05-2020** The matter has been listed today for consideration through Video Conferencing in view of the Nationwide lock down on account of the COVID 19 Pandemic.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner, State and the Accountant General.

The writ petition has been filed by the petitioner who retired on 31.01.2017 as Junior Accounts Clerk in the Government where after he filed the writ petition claiming payment of gratuity with interest, leave encashment with interest, group insurance amount with interest, the financial benefits of 03rd Assured Career Progression as well as admissible post retiral dues. He also claimed fixation of pension and payment of arrears thereof. The petitioner also included a claim for arrears of salary for the month of February, 2015 and from August 2016 till January, 2017 with interest.

In view of the earlier orders passed in these proceedings, supplementary counter affidavit has been filed by the respondent-State. Paragraph 4 of the same discloses the amount along with heads under which payments found due and admissible to the petitioner, have been paid.

The specific stand of the State that vide Letter dated 20.07.2019 bearing Memo No 1313 of the Block Development Officer, Asthawan, the pension admissible to the petitioner from 31.07.2017 along with interest has been sent to the Treasury for payment. Gratuity amounting to Rs 8,84,885/- has been paid through Bill No 70 of 2017 – 2018. Earned leave amount worth Rs 5,45,160/- has been paid through Bill No 71 of 2017 – 2018 and Group Insurance amount worth Rs 18,311/- through Bill No 72 of 2017 – 2018 and Rs 7, 947/- through Bill No 89 of 2017 – 2018. The provident fund amount admissible to the petitioner (Rs 6,68,028/-) has been paid through Bill No 88 of 2018 – 2019 and the difference amount admissible in respect of third ACP worth Rs 44,838/- through Bill No 93 of 2018 – 2019. The salary found due and admissible from July, 2016 to December, 2016 has also been paid to the petitioner.

The substantial grievance of the petitioner, therefore, is said to have been redressed by the respondent-authorities. Copy of this supplementary counter affidavit was served on the petitioner's counsel on 16.10.2019. The contents thereof have never been denied or disputed inasmuch as there is no reply/rejoinder.

Petitioner's counsel further submits that the petitioner may be given liberty that if there are any further dues as per his claim, he may be permitted to approach the authorities.

With liberty, as aforesaid, writ petition stands disposed of.

(Madhuresh Prasad, J)

M.E.H./-

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